

United States District Court

STATE AND

MINNESOTA

DISTRICT OF

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

CASE NUMBER: 06-MJ-142 SRN

NOBUMOCHI FURUKAWA

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 20, 2006 in Hennepin county, in the State and District of Minnesota defendant(s) did, (Track Statutory Language of Offense)

knowingly transported or shipped in interstate or foreign commerce by any means including by computer, any visual depiction and (i) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (ii) such visual depiction is of such conduct.

in violation of Title 18 United States Code, Section(s) 2252 (a) (1).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

April 21, 2006
Date

at

Minneapolis, MN

City and State

Susan Richard Nelson, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

[Signature]
Signature of Complainant
Paul Nichols
BICE

SCANNED

APR 24 2006

U.S. DISTRICT COURT Mpls

DISTRICT OF MINNESOTA)
)
County of HENNEPIN)

06.MJ-142 SRN
Affidavit of Paul Nichols

I, Paul Nichols, being duly sworn on my oath, do depose and state as follows:

1. I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement and have been so employed since December 2003. Prior to working with ICE, I was employed as a United States Border Patrol Agent in Douglas, Arizona beginning in February 2000.

2. I am a graduate of the Federal Law Enforcement Training Center, including the following programs: Criminal Investigator Training Program, United States Immigration and Customs Enforcement Special Agent Training School, and the United States Border Patrol Academy. As part of the curriculum at these training schools, I have received numerous hours of instruction relating to the investigation of fraud, export violations, financial crimes, general smuggling, child pornography, alien smuggling, and immigration violations.

3. I am aware that Title 18, United States Code, Section 2252 (a) (1), makes it a federal offense for any person to knowingly transport or ship in interstate or foreign commerce by any means including by computer any visual depiction involving the use of a minor engaging in sexually explicit conduct. I am also aware that Title 18, United States Code, Section 2252 (a) (4) (B), makes it a federal offense for any person to knowingly possess one

or more books, magazines, periodicals, films, videotapes, or other matter which contain any visual depiction that has been mailed or has been shipped or transported in interstate or foreign commerce or which was produced using materials which have been mailed or so shipped or transported, by any means including by computer, if the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct.

4. The information contained in this affidavit is based on my personal observations, investigation and training, and, where noted, information related to me by other law enforcement officers and agents. Since this Affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation.

5. On April 20, 2006, Nobumochi FURUKAWA, DOB: XX/XX/1969, arrived at the Minneapolis/St. Paul International Airport via Northwest Airlines Flight 20 from Tokyo, Japan. U.S. Customs and Border Protection (CBP) officers referred FURUKAWA to secondary inspection.


6. CBP officers conducted a border search of FURUKAWA's personal property, including a laptop computer. During the search, CBP officers found numerous images of child pornography, and notified the Bloomington Immigration and Customs Enforcement (ICE) Office of their findings.

7. ICE Special Agents responded to the inspection area immediately. ICE Computer Forensic Agent Kevin Lang examined the material discovered by CBP officers, and determined that the images were in fact child pornography. CFA Lang then conducted a cursory forensic examination of an external hard drive, also belonging to FURUKAWA. On the hard drive, CFA Lang discovered numerous video clips and images of juvenile females engaging in sexually explicit conduct, specifically, genital-genital and oral-genital sexual intercourse and lascivious exhibition of the genitalia of minors.

8. After being advised of his Miranda rights and waiving those rights, FURUKAWA admitted to downloading child pornography from the Internet, and further stated that he worked as an Internet Business Consultant. FURUKAWA also stated that pornography in all forms could be found on his computers due to his occupation.


9. Based on the foregoing facts and circumstances, I have probable cause to believe that FURUKAWA has committed violations of Title 18, United States Code, Section 2252(a)(1) and 2252(a)(4)(B).

Further your affiant sayeth not.



Paul C. Nichols, Special Agent
U.S. Immigration and Customs Enforcement

Subscribed and sworn to before me
this 21st Day of April, 2006.



Susan Richard Nelson
U.S. Magistrate Judge